IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
FRIDAY THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND SIX
: PRESENT:
THE HON'BLE MR. JUSTICE: D.S.R.VARMA
AND
THE HONBLE MR.JUSTICE: P.SWAROOP REDDY

MACMAMP. No. 209 of 2006
IN
MACMA. No.98 of 2006

Between:
The National Insurance Company Ltd, Veer Savarker Marg,
Kachiguda, Hyderabad.

Petitioner
(Appellant in MACMA.No.98/2006
on the file of the High Court)

AND

1. **M.Vijayalaxmi w/o.late Madhav Reddy**
2. **Master Praneeth Reddy s/o.M.Madhav Reddy, 14 yrs.**
3. **Baby M.Rachana Reddy D/o.late M.Madhav Reddy,12 yrs.**
4. **Baby M.Lakitha Reddy D/o.late M.Madhav Reddy, 12 yrs.**
5. **M. Ratnamma w/o.late Bheem Reddy**
   (Respondents 2 to 4 being minors rep.by its natural their mother the Respondent No.1 herein)
   (All are r/o. 250, B.N.Reddy colony, Vanasthalipuram, R.R.District.)
6. **Mohd. Jahangir Miya s/o.Chand Pasha, r/o. 1-53, Marriguda, Nalgonda District.**
7. **The Commissioner of Self Employment Scheme, P.No.1-7-509/1/1, Harinagar, Musheerabad, Hyderabad.**
   (Respondents 6 and 7 are not necessary party in this petition herein)

Respondents
(Respondents in –do)

COUNSEL FOR THE PETITIONER: MR.KOTA SUBBA RAO
COUNSEL FOR THE RESPONDENTS NOS.1 TO 5:MR.M.A.K.MUKHEED

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support thereof the High Court may be pleased to stay the execution of decree and judgment passed in O.P.No.71 of 2002, dated 10-10-2005 by the IV Addl. Metropolitan Sessions Judge-cum-XVIII Addl. Chief Judge,at Hyderabad, pending disposal of the above MACMA No.98/2006 preferred therefrom to the High court.

The court while directing issue of notice to the respondents herein to show cause why this application should not be complied with made the following Order. (The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER:

" Heard both sides.

The main contention of the appellant is that the quantum of compensation arrived at by the tribunal was erroneous, rather by guess work, a little more liberally, and there is no positive evidence in that regard, in other words, the main ground urged is that the quantification is on higher side, and the tribunal erroneously arrived at the conclusion that the annual income of the deceased is Rs.1,71,000/-.

In the above circumstances, there shall be interim stay as prayed for, subject to condition of the petitioner-appellant depositing half of the compensation awarded by the tribunal including proportionate interest and costs, after giving credit to the amount already deposited, within a period of six weeks from today.

ASSISTANT REGISTRAR

//TRUE COPY/ for ASSISTANT REGISTRAR

To

1. **The IV Addl. Metropolitan Sessions Judge-cum-XVIII Addl.Chiefr Judge, Hyderabad.**
2. **M. Vijayalaxmi w/o. late Madhav Reddy, r/o. 250, B.N.Reddy colony, Vanasthalipuram, R.R.District. (on behalf of herself and of Master Praneeth Reddy, Baby M.Rachana Reddy, and Baby M.Lakitha Reddy being minors. (By Rpad)**
3. **M. Ratnamma w/o.late Bheem Reddy, r/o. 250, B.N.Reddy colony, Vanasthalipuram, Ranga Reddy district. (By Rpad)**
4. **One spare copy.**

bsr

HIGH COURT

DSRV.J
&
PSR.J.

DATE: 27-1-2006

ORDER

CMAMP.NO.209 OF 2006
IN
MACMA. No.98 OF 2006

INTERIM STAY

HIGH COURT

DRAFTED BY BSR
DRAFTED ON 28-1- 2006

DSRV.J.
&
PSR.J.

DATE: 27-1-2006

ORDER

CMAMP.NO.209 OF 2006
IN
MACMA.No.98 OF 2006

INTERIM STAY.